

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

**1ST FINANCIAL SERVICES OF
MISSISSIPPI, INC. ET AL.**

PLAINTIFFS

v.

CIVIL ACTION NO. 3:22-cv-77-MPM-JMV

**UNITED STATES SMALL BUSINESS
ADMINISTRATION ET AL.**

DEFENDANTS

And

THIRD UNION FINANCE, INC.

PLAINTIFF

v.

CIVIL ACTION NO. 4:22-cv-81-MPM-JMV

**UNITED STATES SMALL BUSINESS
ADMINISTRATION ET AL.**

DEFENDANTS

ORDER GRANTING MOTIONS FOR CONSOLIDATION

Plaintiffs and Defendants jointly moved the court under Fed. R. Civ. P. 42(a) to consolidate the above referenced matters for all purposes [# 6 in *1st Financial Services of Mississippi, Inc., et al. v. United States Small Business Administration, et al.*, Civil Action No. 3:22-cv-77-MPM-JMV and #7 in *Third Union Finance, Inc. v. United States Small Business Administration, et al.*, Civil Action No. 4:22-cv-81-MPM-JMV]. Because these matters originate from the same set of facts; the cases involve the same defendant who is represented by the same attorney; the plaintiffs in the separate cases share the same attorney; and both actions involve common questions of law and fact, the respective motions to consolidate are granted.

Accordingly, it is ORDERED that Civil Action. Nos. 3:22-cv-77-MPM-JMV and 4:22-cv-81-MPM-JMV are consolidated. Pursuant to Local Rule 42, Civil Action

No. 3:22-cv-77-MPM-JMV will serve as the lead case because it is the earlier filed of actions from different divisions, and the style will read as captioned above. The lead case is assigned to District Judge Mills. The *Third Union* matter was previously reassigned to District Judge Mills upon entry of an Order of Recusal by District Judge Brown on June 1, 2022.

All counsel of record are instructed to indicate both the lead case number and the consolidated case numbers in the caption of any documents filed with the court. The word “CONSOLIDATED WITH” must appear directly under the lead case number. Counsel are directed to docket and file all documents in the lead case unless otherwise directed. Documents may be filed in all cases by printing the words “FILED IN ALL CASES” in the caption under the last case number and electronically filing the document in every case which the document is to be filed, or appropriately spreading the filing according to the court’s electronic case management and filing system. The parties are responsible for accurately and correctly adhering to these requirements in all filing via the court’s electronic case management system.

Accordingly,

IT IS ORDERED:

1. That the parties’ joint motions to consolidate are hereby **GRANTED**;
2. That the above styled cases are consolidated for all purposes, including trial;
3. That there will be a joint case management conference held on September 8, 2022, at 10:00 a.m. and the parties will be required to provide a draft case management order; and
4. *1st Financial* will be the lead case.

SO ORDERED, this 23rd day of August, 2022.

/s/ Jane M. Virden

UNITED STATES MAGISTRATE JUDGE